

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JERRY LEON MASON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LEON MASON,

Respondent-Appellant,

and

SAMELLA MCCLAIN,

Respondent.

UNPUBLISHED

September 15, 1998

No. 205017

Genesee Juvenile Court

LC No. 96-106879 NA

Before: Whitbeck, P.J., McDonald and T. G. Hicks*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right a juvenile court order terminating his parental rights to the minor child under MCL 712A.19b(3)(b)(i) and (ii), (g) and (i); MSA 27.3178(598.19b)(3)(b)(i) and (ii), (g) and (i). We affirm.

“In order to terminate parental rights, the trial court must find that at least one of the statutory grounds [for termination] has been met by clear and convincing evidence.” *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Once a statutory ground for termination has been met by clear and convincing evidence, “the court shall order termination of parental rights, ... unless the court finds that termination of parental rights to the child is clearly not in the child’s best interests.” MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d

* Circuit judge, sitting on the Court of Appeals by assignment.

156 (1997). We review the trial court's decision regarding termination "in its entirety for clear error." *Id.* at 472.

Here, the juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. Respondent suffers from a neurological impairment and diminished functional ability and has twice failed to successfully complete a life skills course provided by the Family Independence Agency. Therefore there is no reasonable expectation that he will be able to provide proper care and custody within a reasonable time considering and age of the child. *In re McIntyre, supra*. Further, respondent failed to show that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith, supra*. Thus, the juvenile court did not err in terminating respondent's parental rights.

Affirmed.

/s/ William C. Whitbeck

/s/ Gary R. McDonald

/s/ Timothy G. Hicks